

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

SUSAN POLGAR §
§
VS. §
§
UNITED STATES OF AMERICA §
CHESS FEDERATION, INC., §
and §
BILL GOICHBERG, JIM BERRY, §
RANDY BAUER, and §
RANDALL HOUGH, all Individually and §
in their Representative Capacities as §
Members of the Executive Board of the §
United States of America Chess Federation; §
BILL HALL, Individually and in his §
Representative Capacity as Executive §
Director of the United States of America §
Chess Federation; BRIAN MOTTERSHEAD; §
HAL BOGNER; CHESS MAGNET, L.L.C.; §
CONTINENTAL CHESS INCORPORATED; §
JEROME HANKEN; BRIAN LAFERTY; §
SAM SLOAN; KARL S. KRONENBERGER; §
and KRONENBERGER BURGOYNE, LLP §

C.A. NO. 5-08CV0169-C

**DEFENDANT UNITED STATES OF AMERICA CHESS FEDERATION, INC.'S MOTION
TO DISMISS FOR PLAINTIFF'S FAILURE TO STATE A CLAIM UNDER FED. R. CIV.
P. 12(b)(6), OR IN THE ALTERNATIVE, MOTION FOR A MORE DEFINITE
STATEMENT PURSUANT TO FED. R. CIV. P. 12(e)**

Defendant United States of America Chess Federation, Inc. ("USCF" and/or "Defendant") moves for an order dismissing Plaintiff's suit for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6), or in the alternative, moves for an order requiring a more definite statement of Plaintiff's suit pursuant to Federal Rule of Civil Procedure 12(e).

1. Plaintiff's suit should be dismissed in its entirety pursuant to Federal Rule of Civil Procedure 12(b)(6) in that Plaintiff's complaint fails to state a claim upon which relief can be granted, or in the alternative, Plaintiff should be ordered to plead a more definitive statement of her claims pursuant to Federal Rule of Civil Procedure 12(e).

2. This Motion is based on the pleadings and papers on file in this case and the attached memorandum of points and authorities.

Respectfully submitted,

By: _____/S/
William P. Huttenbach
Federal I.D. No. 21742
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**ATTORNEY-IN-CHARGE FOR
DEFENDANT UNITED STATES OF
AMERICA CHESS FEDERATION, INC.**

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served by first class mail, postage prepaid, facsimile or electronic mail by the Clerk of the Court via the ECM system, as listed below on the 26th day of September, 2008.

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_____/S/
William P. Huttenbach

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule 7.1, I have conferred with Plaintiff's counsel, and Plaintiff is opposed to Defendant United States of America Chess Federation, Inc.'s Motion to Dismiss for Plaintiff's Failure to State a Claim Under Fed. R. Civ. P. 12(b)(6), or in the Alternative, Motion for a More Definite Statement Pursuant to Fed. R. Civ. P. 12(e).

_____/S/
William P. Huttenbach